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Attorneys for USACM Liquidating Trust

**UNITED STATES BANKRUPTCY COURT  
DISTRICT OF NEVADA**

In re:

USA COMMERCIAL MORTGAGE  
COMPANY,

USA CAPITAL REALTY ADVISORS,  
LLC,

USA CAPITAL DIVERSIFIED TRUST  
DEED FUND, LLC,

USA CAPITAL FIRST TRUST DEED  
FUND, LLC,

USA SECURITIES, LLC,  
Debtors.

Case No. BK-S-06-10725-LBR  
Case No. BK-S-06-10726-LBR  
Case No. BK-S-06-10727-LBR  
Case No. BK-S-06-10728-LBR  
Case No. BK-S-06-10729-LBR

**CHAPTER 11**

Jointly Administered Under Case No.  
BK-S-06-10725 LBR

**STIPULATION RE PROOFS OF  
CLAIM FILED BY SERGIO DEL  
CANIZO dba S & J ENTERPRISE**

**Affects:**

- ☐ All Debtors  
☒ USA Commercial Mortgage Company  
☐ USA Capital Realty Advisors, LLC  
☐ USA Capital Diversified Trust Deed Fund, LLC  
☐ USA Capital First Trust Deed Fund, LLC  
☐ USA Securities, LLC

The USACM Liquidating Trust, though undersigned counsel, and Sergio Del Canizo, and Justine F. Del Canizo, ("Del Canizo"), husband and wife, agree and stipulate as follows:

1           1.     Tanamara Corporate Center, LLC ("Tanamara"), leased office space to  
2 USACM pursuant to a lease dated March 16, 2005. Del Canizo purchased the property  
3 from Tanamara thereafter.

4           2.     Sergio Del Canizo, dba S & J Enterprise Investments Inc., filed proof of  
5 claim No. 10725-00061 on July 14, 2006 in the unsecured non-priority amount of  
6 \$66,668.00, which was amended by claim no. 10726-00061-2 filed on November 2, 2006  
7 in the amount of \$66,668.00 as an unsecured non-priority claim for unpaid rent and other  
8 expenses owed on the property leased by USACM and formerly owned by Tanamara.

9           3.     Pursuant to Stipulation and Order Regarding Rejection of Lease with S & J  
10 Enterprise Investments, Inc. [DE 1058] entered by this Court on August 1, 2006, the  
11 property was vacated by USACM and the lease rejected by USACM as of May 15, 2006.

12           4.     Believing that Del Canizo was filing a claim on behalf of Tanamera  
13 Corporate Center LLC, the USACM Liquidating Trust filed a Motion to Classify Claims  
14 Filed by Tanamera Corporate Center LLC in Plan Class A-7 and Reservation of  
15 Counterclaim and Objections [DE 3075] (the "Motion") on March 13, 2007. The Motion  
16 requested that the claim be reclassified as Class A-7, Subordinated Claim.

17           5.     Notice of the Objection and status hearing regarding USACM Liquidating  
18 Trust's Motion [DE 3075] was properly given.

19           6.     Del Canizo responded to the objection. He advised Counsel for the USACM  
20 Liquidating Trust that he is not affiliated with Tanamara. He purchased the property that  
21 was leased to USACM from Tanamara. Del Canizo supplied documents to establish that  
22 he did business as S & J Enterprise Investments Inc., the amount and legitimacy of the  
23 claim.

24           7.     Upon review of the documents and information supplied, the USACM  
25 Liquidating Trust offered to stipulate to a general unsecured claim in the amount of  
26 \$45,777.16 and Del Canizo agreed.

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The parties hereby stipulate and agree:

- The “Motion to Classify Claims filed by Tanamara Corporate Center, LLC, [sic] in Class A-7” as it relates to the proofs of claim filed by Del Canizo be denied.
- Claim No. 10725-00061-1 filed by Canizo be disallowed in its entirety on the ground that it is amended by Claim No. 10725-00061-2 filed by Del Canizo.
- Claim No. 10725-00061-2 filed by Canizo may be allowed as a General Unsecured Claim in the amount of \$45,777.16 in full and complete satisfaction of any and all filed proofs of claims, scheduled claims or administrative claims.
- The continued hearing scheduled for June 15, 2007 may be vacated.

Dated: June 13, 2007.

**LEWIS AND ROCA LLP**

By: /s/ RC (#6593)

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*Counsel for USACM Liquidating Trust*

-and-

Dated: June 6, 2007

Sergio Del Canizo

Justine F. Del Canizo

Sergio Del Canizo,  
Sole Proprietor, S & J Enterprises

LEWIS  
AND  
ROCA  
LLP  
LAWYERS

The parties hereby stipulate and agree:

- The "Motion to Classify Claims filed by Tanamara Corporate Center, LLC, [sic] in Class A-7" as it relates to the proofs of claim filed by Del Canizo be denied.
  - Claim No. 10725-00061-1 filed by Canizo be disallowed in its entirety on the ground that it is amended by Claim No. 10725-00061-2 filed by Del Canizo.
  - Claim No. 10725-00061-2 filed by Canizo may be allowed as a General Unsecured Claim in the amount of \$45,777.16 in full and complete satisfaction of any and all filed proofs of claims, scheduled claims or administrative claims.
  - The continued hearing scheduled for June 15, 2007 may be vacated.
- Dated: June - 6, 2007.

**LEWIS AND ROCA LLP**

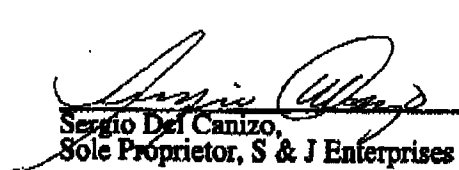
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Counsel for USACM Liquidating Trust  
-and-

Dated: \_\_\_\_\_, 2007

  
Sergio Del Canizo

  
Justine F. Del Canizo

  
Sergio Del Canizo,  
Sole Proprietor, S & J Enterprises